

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

FABIAN MENDEZ,

Defendant-Movant.

CASE NO. CR10-5723BHS

ORDER DENYING MOTION FOR
REDUCTION OF SENTENCE

This matter comes before the court on Defendant-Movant Fabian Mendez' (Mendez) Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2). Dkt. # 229. The court has reviewed the motion and the government's response (Dkt. 233), and finds that because the sentence that Mendez is serving is the applicable mandatory minimum sentence of ten years (120 months) required by 21 U.S.C. § 841(b)(1)(A), Defendant is ineligible for a reduction in sentence because his sentence was a mandatory minimum sentence, not a sentence based on the Sentencing Guidelines. NOW, THEREFORE,

IT IS HEREBY ORDERED that Mendez' Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2) is DENIED.

Dated this 1st day of April, 2015.



BENJAMIN H. SETTLE
United States District Judge